

06-13-03



PATENT
Attorney Docket No. 115.0004-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John I. Shipp et al.

Serial No.: (Cont. of 09/441,898)

Filed: June 12, 2003

For: SURGICAL LIGATION CLIP AND
METHOD FOR USE THEREOF

(Group Art Unit: 3731)

(Examiner: M. Thaler)

MS PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Express Mail Mailing Label No. EU761481194US

Date of Deposit: June 12, 2003

I hereby certify that:

1. Continuing Application Transmittal Form (in duplicate)
2. 31 application pages including specification, claims (41 total and 7 independent), and abstract
3. Copy of executed Declaration from prior application
4. 10 sheets of formal drawings (8.5 x 11 paper; Figs. 1-13b)
5. Copy of Revocation of Original Power of Attorney and Grant of New Power of Attorney from prior application
6. Information Disclosure Statement with Form PTO-1449 and English language abstracts
7. Check in the amount of \$732.00 (filing fee)
8. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

MS PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date: June 12, 2003

Sandra L. Blackmon

14500 Avion Parkway, Suite 300
Chantilly, VA 20151-1101
Telephone: 703-679-9300
Facsimile: 703-679-9303

17354 U.S. PTO

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For: SURGICAL LIGATION CLIP AND METHOD
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Prior Application Information:

Group Art Unit: 3731

Examiner: M. Thaler

MS PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CONTINUING APPLICATION TRANSMITTAL

Transmitted herewith for filing is a ☒ Continuation ☐ Divisional ☐ Continuation-In-Part application under 37 C.F.R. § 1.53(b) of prior patent application No. 09/441,898, filed November 17, 1999.

- ☒ Applicant claims small entity status under 37 C.F.R. §§ 1.9 and 1.27.
- ☒ 31 total application pages including specification, claims (41 total and 7 independent), and abstract are enclosed.
- ☐ A newly executed Declaration and Power of Attorney ☐ is enclosed ☐ will follow.
- ☒ A copy of the Declaration and Power of Attorney from the prior application is enclosed.

The entire disclosure of the prior application, from which an oath or declaration is supplied, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

- ☒ 10 sheets of formal drawings (8.5 x 11 paper; Figs. 1-13b) are enclosed.
- ☒ The prior application is assigned of record to: SURGICON, INC.
- ☒ The power of attorney in the prior application is to at least one of the following: MARTIN & FERRARO, LLP; Thomas H. Martin, Reg. No. 34,383; Amedeo F. Ferraro, Reg. No. 37,129; and Todd M. Martin, Reg. No. 42,844.
 - ☐ The power appears in the original Declaration of the prior application.
 - ☒ Since the power does not appear in the original Declaration, a copy of the Revocation of Original Power of Attorney and Grant of New Power of Attorney in the prior application is enclosed.

- ☐ A certified copy of ____ Patent Application No. ____ filed ____ from which priority is claimed under 35 U.S.C. § 119 is enclosed.
- ☒ Information Disclosure Statement (IDS) and Form PTO-1449 is enclosed with English language abstracts.
- ☐ Amend the specification by rewriting paragraph 1 on page 1 to read as follows:
 - This is a ☐ continuation ☐ divisional of application Serial No. _____, filed _____, and claims benefit of U.S. Provisional application No. _____, filed _____, all of which are incorporated herein by reference.--.

- ☐ Cancel Claims _____.
- ☐ An Amendment is enclosed.

Adjustment date: 07/18/2003 WABDELRI
06/16/2003 WABDELRI 00000013 09441898
01 FC:1201 -336.00 DP
02 FC:1201

Transmittal for Continuing Application.doc

Patent Application No. 09/441,898
Filed: 11/17/99
Serial No. 09/441,898
Filed: 11/17/99

00000013 09441898
336.00 DP
373.00 DP

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	41	-20	21	LG=\$18 SM=\$9	\$9	189.00	
B	INDEPENDENT CLAIMS FEE*	7	-3	4	LG=\$84 SM=\$42	\$42	168.00	
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)							\$ 357.00
D	MULTIPLE-DEPENDENT CLAIMS FEE					LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$140		\$ -0-
E	BASIC FEE					LARGE ENTITY FEE = \$750 SMALL ENTITY FEE = \$375		\$ 375.00
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)							\$ 732.00

☒ A check in the amount of \$732.00 to cover the above fees is enclosed.

☒ Correspondence Address:

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PATENT TRADEMARK OFFICE

☒ The Commissioner is hereby authorized to charge any deficiency for the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. **A copy of this sheet is enclosed.**

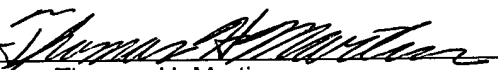
☒ Any additional filing fees required under 37 C.F.R. § 1.16

☒ Any patent application processing fees under 37 C.F.R. § 1.17

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, Serial No. 09/441,898, filed November 17, 1999, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 50-1068. A duplicate copy of this paper is enclosed for use in charging the deposit account.

Respectfully submitted,
MARTIN & FERRARO LLP

Date: June 12, 2003

By: 
Thomas H. Martin
Registration No. 34,383
Attorney for Applicant

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